

# SPORT FISHING

## *Emergency Order*

ALASKA DEPARTMENT  
OF FISH & GAME

Under Authority of AS 16.05.060

Emergency Order No. 2-KS-7-03-04

Issued at: Homer, Tuesday, May 25, 2004

Effective Date: 12:01 a.m., Saturday, May 29, 2004

Expiration Date: 11:59 p.m., Friday,  
December 31, 2004, unless superseded by  
subsequent emergency order.

### EXPLANATION:

This emergency order opens the Ninilchik River on May 29 from its mouth upstream to the regulatory marker located approximately two miles upstream, to fishing for hatchery king salmon 7 days per week. Retention of wild king salmon, as evidenced by an intact adipose fin, remains unchanged. King salmon with an adipose fin may be retained only:

- 12:01 a.m. Saturday, May 29 to 11:59 p.m. Monday, May 31
- 12:01 a.m. Saturday, June 5 to 11:59 p.m. Monday, June 7
- 12:01 a.m. Saturday, June 12 to 11:59 p.m. Monday June 15

King salmon with a healed adipose fin-clip scar may be retained 7 days per week. The daily bag and possession limit for king salmon 20 inches or greater in total length is one per day/ one in possession. For king salmon under 20 inches in total length, the daily bag and possession limit is 10 per day/10 in possession. King salmon 20 inches or greater in length must be immediately recorded on the back of the fishing license or harvest record card. Bait is allowed. Only one, single hook may be used. A person may not possess a king salmon that has been filleted, headed, mutilated or otherwise disfigured in a manner that prevents determination of the length of fish taken until the fish is permanently offloaded from the vessel if the fish was taken from a vessel, or permanently transported away from the fishing site if the fish was taken from the riverbank. "Fishing site" means the riverbank where the fish was hooked and removed from the water becoming part of the person's bag limit. This emergency order is effective 12:01 a.m., Saturday, May 29, 2004 until 11:59 p.m. December 31, 2004.

### REGULATION:

The provisions of 5 AAC 56.022 WATERS; SEASONS; BAG, POSSESSION, AND SIZE LIMITS; AND SPECIAL PROVISIONS FOR THE KENAI PENINSULA AREA (EXCLUDING THE KENAI RIVER DRAINAGE). (b)(5)(F) are added by this emergency order. Under this emergency order, the following provisions are effective:

### **5 AAC 56.022 WATERS; SEASONS; BAG, POSSESSION, AND SIZE LIMITS; AND SPECIAL PROVISIONS FOR THE KENAI PENINSULA AREA (EXCLUDING THE KENAI RIVER DRAINAGE).**

(b)(5)(F) The Ninilchik River drainage is open to sport fishing for hatchery king salmon 20 inches or greater in total length, 7 days per week from the mouth upstream to ADF&G regulatory markers located approximately two miles upstream; hatchery king salmon may be retained 7 days per week; a hatchery king salmon is a king salmon with a clipped adipose fin as

evidenced by a healed fin clip scar where the adipose fin is normally located; bag limit and possession limit of one fish; wild king salmon may be retained only on Memorial Day weekend and the following two weekends and the Mondays following those weekends as specified in (b)(5)(D) of this section; wild king salmon is a king salmon with an intact adipose fin; a king salmon 20 inches or greater in length that is removed from the water must be retained and becomes a part of the bag limit of the person originally hooking it; a person may not remove a king salmon from the water before releasing the fish; only one, single hook may be used; a person may not possess a king salmon that has been filleted, headed, mutilated or otherwise disfigured in a manner that prevents determination of the length of fish taken until the fish is permanently offloaded from the vessel if the fish was taken from a vessel, or permanently transported away from the fishing site if the fish was taken from the riverbank; for the purposes of this sub-subparagraph, "fishing site" means the riverbank where the fish was hooked and removed from the water becoming part of the person's bag limit;

Kevin C. Duffy,  
Commissioner



By delegation to:

Nicole J. Szarzi  
Area Management Biologist

JUSTIFICATION:

King salmon are stocked in the Ninilchik River to provide additional harvest opportunity for sport anglers while preventing overharvest of wild king salmon that return to the river. An average of 630 hatchery-produced king salmon have escaped past the sport fishery on the Ninilchik River since 1999. A similar number is likely to move past the sport fishery in 2004. Additional opportunity is available to harvest stocked fish in the Ninilchik River without negatively impacting the wild king salmon run or salmon spawning and rearing habitat. To harvest more of these stocked fish, the Ninilchik River will be open by Emergency Order for the harvest of hatchery fish only, seven days per week beginning Saturday, May 29 at 12:01 a.m., Memorial Day weekend. One hundred percent of the hatchery-produced king salmon released in the Ninilchik River had their adipose fin removed as smolt, as evidenced by a healed fin clip scar where the adipose fin is normally located. To protect wild stocks from overharvest, the retention of wild king salmon in the Ninilchik River will only be allowed during the usual regulatory openings: Memorial Day weekend, and the following two weekends and the Mondays following those weekends. Wild fish may be recognized by the intact adipose fin. Only the use of one, single hook will be permitted to minimize release mortality.

In order for the Department of Fish and Game to evaluate the implementation of the hatchery only harvest strategy for king salmon in the sport fishery and facilitate enforcement of the fishery, it is imperative that Department representatives be able to examine harvested fish for the presence or absence of an adipose fin.

**DISTRIBUTION:**

The distribution list for this emergency order is on file at the Region 2 Office of Alaska Department of Fish and Game, Division of Sport Fish, 333 Raspberry Road, Anchorage, AK 99518, (907) 267-2218.